

Lexington, Kentucky February 23, 2006

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on February 23, 2006 at 7:00 P.M. Present were Mayor Teresa Ann Isaac in the chair presiding and the following members of the Council: Council Members Farmer, Gorton, Lane, Moloney, Myers, Scanlon, Shafer, Stevens, Stinnett, Wigginton, Brown, Cegelka and Ellinger. Absent were Council Members McChord and DeCamp.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 27-2006 thru 40-2006 inclusive and Resolutions No. 35-2006 thru 68-2006 inclusive were reported as having been signed and published, and were ordered to record.

Lexington, Kentucky February 23, 2006

The Invocation was given by Pastor Shannon Back, Broadway Baptist Church.

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Ms. Shafer spoke about the Keep It Real High School Video Contest which was part of the Keep It Real Campaign to reduce underage drinking, and explained that there were a total of 48 videos produced by more than 150 students from 12 schools in eight counties. She introduced the Fayette County winners and played their videos, and introduced Ms. Lindsey Sugerman, Agency for Substance Abuse Policy, who spoke about the videos.

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The following ordinances were given second reading and passed by the following vote:

Aye: Farmer, Gorton, Lane, Moloney, Myers, Scanlon,
Shafer, Stevens, Stinnett, Wigginton, Brown, Ellinger ----- 12

Nay: ----- 0
(Mr. Cegelka was absent when the vote was taken.)

An Ordinance authorizing the Mayor to accept a donation of \$100.00 from James D. Carloss, Jr., for the Day Treatment Center for the purchase of books and appropriating funds pursuant to Schedule No. 149.

An Ordinance authorizing the Mayor to accept a Grant from the Dept. of Health and Human Services Substance Abuse and Mental Health Services Administration, which grant funds are in the amount of \$75,000.00 Federal funds, are for continuation of the Drug Free Communities Support Program, the acceptance of which obligates the Urban County Government for the expenditure of \$75,210.00 as a non-federal match, appropriating funds pursuant to Schedule No. 150, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Justice and Public Safety Cabinet, which grant funds are in the amount of \$77,064.00 Federal funds, are for continued operation of the Motor Carrier Safety Assistance Program (MCSAP), the acceptance of which obligates the Urban County Government for the expenditure of \$19,300.00 as a match, appropriating funds pursuant to Schedule No. 154, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance amending Section 21-5 of the Code of Ordinances creating one (1)

position of Planner Senior, Grade 117E, in the Div. of Planning.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Skilled Trades Worker Senior, Grade 112N, and creating one (1) position of Trades Supervisor, Grade 113N, in the Div. of Parks, and appropriating funds pursuant to Schedule No. 157.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Staff Assistant Senior, Grade 108N, and creating one (1) position of Property & Evidence Technician, Grade 111N, in the Div. of Police and appropriating funds pursuant to Schedule No. 158.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Staff Assistant Senior, Grade 108N, and creating one (1) position of Administrative Specialist, Grade 110N, and reclassifying the incumbent, in the Div. of Traffic Engineering to become effective retroactive to January 18, 2006, and appropriating funds pursuant to Schedule No. 160.

An Ordinance authorizing the Mayor to execute a Lease and Option Agreement with William L. Hassett, Jr., Charles D. Mitchell, James C. Mitchell and Anne Hassett Zelle for the property located at 166 North Martin Luther King Boulevard, at a cost not to exceed \$34,380.00 for Fiscal Year 2006 and \$111,076.00 for Fiscal Year 2007, and appropriating funds pursuant to Schedule No. 159.

An Ordinance authorizing the Mayor to accept a Donation of seven hundred fifty (\$750.00) dollars, from PN Sports N' Spokes for the purchase of shirts for the Bluegrass Invitational Wheelchair Basketball Tournament and appropriating funds pursuant to Schedule No. 155.

An Ordinance amending certain of the budgets to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 148.

An Ordinance amending certain of the budgets to reflect current requirements for funds in the amount of \$1,000.00 from Neighborhood Development Funds for game systems and games in the Div. of Parks, and appropriating and re-appropriating funds, Schedule No. 162.

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An Ordinance authorizing the Mayor to execute an Amendment to Agreement

An Ordinance creating Sections 28-3(h)(6), 28-4(h)(5), and 28-5(h)(5) of the Zoning Ordinance so as to allow additional signage in the MU-1, 2, and 3 zones, repealing Section 28-7 of the Zoning Ordinances, and renumbering Section 28-8.

An Ordinance creating a new section of Chapter 14-58 of the Code of Ordinances of the Lexington-Fayette Urban County Government to prohibit registered sex offenders from being in or loitering within 1,000 feet of a public park, public or private school, registered child-care center or playground, and establishing penalties for violation.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management, which grant funds are in the amount of \$5,000.00 Federal funds, are for the purchase of computer equipment, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 163, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 161.

An Ordinance amending Sections 2-381(2) , 2-382 and 2-383(2), (3) and (4) of the Code Ordinances, relating to the Court-Appointed Special Advocate Board, to change reference from “project” to “program”, and amending Section 2-382 to provide that the Board’s by-laws may provide for a greater number of members, that membership on the board shall not automatically include active CASA volunteers, and that the Fayette County Family Court Judges shall serve as ex officio members of the Board.

An Ordinance amending Section 23-5 of the Code of Ordinances abolishing one (1) position of Firefighter, Grade 311N, and creating one (1) position of Fire Captain, Grade 316N, in the Div. of Fire, and appropriating funds pursuant to Schedule No. 169.

An Ordinance authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Justice, to provide any additional information requested in connection with this grant application, and to accept this grant if the application is approved, which grant funds are in the amount of \$137,426.00 Federal funds under the Edward Byrne

Memorial Justice Assistance Grant Program, are for the purchase of copiers, microphones, scramble boards, a horse for the mounted patrol, a canine for tracking and various equipment for narcotics enforcement, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 1 and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute a Services Agreement with Parsons, Brinckerhoff, Quade and Douglas, Inc., for the Lexington area Metropolitan Planning Organization Regional Bicycle and Pedestrian Master Plan, at a cost not to exceed \$155,000.00, and appropriating funds pursuant to Schedule No. 168.

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The following resolutions were given second reading and passed by the following vote:

Aye: Farmer, Gorton, Lane, Moloney, Myers, Scanlon, Shafer,
Stevens, Stinnett, Wigginton, Brown, Cegelka, Ellinger ----- 13

Nay: ----- 0

A Resolution accepting the bid of Bluegrass Fire Equipment establishing a price contract for fire hose nozzles, for the Div. of Fire.

A Resolution accepting the bids of IBS Floor Care and A & A Commercial Cleaning establishing a price contract for custodial services, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bid of Craigs Firearms Supply, Inc. establishing a price contract for patrol rifles, for the Div. of Police.

A Resolution accepting the bid of Municipal Equipment, Inc., establishing a price contract for street sweepers, for the Div. of Fleet Services.

A Resolution accepting the bid of 32 Ford Mercury, Inc. establishing a price contract for small dump trucks with snow plows and salt spreaders, for the Div. of Fleet Services.

A Resolution accepting the bids of Anaconda Sports, Inc., Bill Fritz Sports Corp., BSN Sports, JP Sports, Inc., M.A.S.A., Inc., Riddell/All American, S & S Worldwide and Sportmaster establishing price contracts for athletic equipment, for the Div. of Parks.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Brookdale Foundation and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$6,000.00, and are for the Relatives as Parents Program (RAPP).

A Resolution rescinding Resolution No. 553-2005 relating to an Agreement with R. J. Corman Railroad Co./Central Ky. Line, LLC, and authorizing the Mayor to execute an Agreement with R. J. Corman Railroad Co./Central Ky. Line, LLC, for reimbursement of costs associated with a sanitary sewer relocation at the Manchester Street railroad crossing, at a cost not to exceed \$104,767.85.

A Resolution authorizing the Mayor to execute Change Order No. 3 to the contract with Spectrum Contracting Services, Inc., for renovation of the 4th Floor Phoenix Building, increasing the contract price by the sum of \$316.03 from \$324,319.00 to \$324,635.03.

A Resolution authorizing the Mayor to execute a Frequency Reconfiguration Agreement with Nextel West Corp. and Nextel Partners Operating Corp., for frequency reconfiguration of the radio telemetry communications systems at pump stations throughout Fayette County, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute Change Order No. 9 to the contract with D.W. Wilburn, Inc., for Day Treatment Facility, decreasing the contract price by the sum of \$607.00 from \$4,154,138.94 to \$4,153,531.93.

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A Resolution authorizing the Mayor to execute a Customized Training Agreement with Appalachian Regional Healthcare, Inc., for skills upgrade training, at a cost not to exceed \$20,000.00 was given second reading and passed by the following vote:

Aye: Farmer, Gorton, Lane, Moloney, Scanlon,
Shafer, Stevens, Stinnett, Wigginton, Brown ----- 10

Nay: Myers, Cegelka, Ellinger ----- 3

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A Resolution authorizing the Mayor to execute a Customized Training Services Agreement with Central Baptist Hospital, for Admin RX Medication Administration Recording System training, at a cost not to exceed \$20,000.00 was given second reading

and passed by the following vote:

Aye: Farmer, Gorton, Lane, Moloney, Scanlon, Shafer,
Stevens, Stinnett, Wigginton, Brown, Ellinger ----- 11

Nay: Myers, Cegelka ----- 2

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The following resolutions were given first reading. Upon motion of Mr. Ellinger and seconded by Dr. Stevens, the rules were suspended by majority vote (Ms. Gorton and Mr. Stinnett voted no). The resolutions were given second reading and passed by the following vote:

Aye: Farmer, Gorton, Lane, Moloney, Myers, Scanlon, Shafer,
Stevens, Stinnett, Wigginton, Brown, Cegelka, Ellinger ----- 13

Nay: ----- 0

A Resolution accepting the bid of Galls, Inc. establishing a price contract for Police Honor Guard uniform supplemental, for the Div. of Police.

A Resolution encouraging Bluegrass Stockyards to find an alternative site within Fayette County that meets its locational, financial, and business criteria.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multi-way stop controls at the intersection of Jackson Street and East Seventh Street.

A Resolution authorizing the Mayor to execute an amendment to Grant Agreement with the Governor's Office for Local Development, for extension of the Liberty Park Trail Construction Project's expiration date to June 30, 2007, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Release of Easement, releasing a drainage easement at 2073 Bryant Road.

A Resolution authorizing the Mayor to execute Agreements with A. J. Houston Enterprises, Inc. (\$500.00), and Lexington Leadership Foundation, Inc. (\$1,675.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute Change Order No. 1 and an amendment to the contract with Bender Associates Architects, PLC, for the Family Care Center Health Clinic Expansion Project, increasing the contract price by the sum of \$1,973.52 from \$24,800.00 to \$26,773.52.

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Upon motion of Dr. Stevens, seconded by Ms. Shafer and passed by unanimous vote, a Resolution authorizing a special leave of absence with pay pursuant to Section 21-37(b) of the Code of Ordinances for all permanent employees called to testify in the case of John H. Adams v. Lexington-Fayette Urban County Government which is scheduled to begin on February 27, 2006 was placed on the docket and given first reading.

Mr. Wigginton asked the Mayor and Mr. David Holmes, Commissioner of the Dept. of Law, to further explain the resolution.

Upon motion of Mr. Ellinger and seconded by Dr. Stevens, the rules were suspended by majority vote (Ms. Gorton and Mr. Stinnett voted no). The resolution was given second reading and passed by the following vote:

Aye: Farmer, Gorton, Lane, Moloney, Myers, Scanlon, Shafer,
Stevens, Stinnett, Wigginton, Brown, Cegelka, Ellinger ----- 13

Nay: ----- 0

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The following resolutions were given first reading and ordered placed on file two weeks for public inspection.

A Resolution accepting the bid of UZ Engineering Products establishing a price contract for fasteners, for the Div. of Fleet Services.

A Resolution accepting the bid of L. P. Wire Ties Systems establishing a price contract for bailing wire, for the Div. of Solid Waste.

A Resolution accepting the bid of Jones Chemicals, Inc. establishing a price contract for sulfur dioxide, for the Div. of Sanitary Sewers.

A Resolution accepting the bids of Lexington Industrial Co., Inc., Magnetech Industrial Services, Inc., and Crush Bearings and Drives establishing price contracts for electrical motor repair.

A Resolution making a declaration of Official Intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for the Bluegrass-Aspendale Community School and related neighborhood projects, in the aggregate amount of \$2,900,000.00.

A Resolution establishing a Residential Parking Permit Program for 306 and 318 Foreman Avenue twenty-four (24) hours per day, Monday through Sunday; waiving the

provisions relating to the mechanics of designating Residential Parking Permit areas adopted by Resolution No. 168-90 and amended by Resolution No. 450-91.

A Resolution authorizing the Div. of Traffic Engineering to install at the intersection of Eastland Parkway and New Circle Road, and at the intersections of Meadow Lane, Rookwood Parkway, St. Anthony Drive, Northside Drive and Bryanwood Parkway with Bryan Station Road, proper and appropriate signs designating same as prohibited to thru truck travel.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from W. Nelson McMakin, and W. Nelson McMakin as trustee for William Michael McMakin, Martin Dennis McMakin and Juliana McMakin Mullinx, for property located at 2045 Cambridge Drive, for the Valley Park Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Memorandum of Understanding with Federal Prison Industries, Inc. (d/b/a Unicor), for recycling of electronic waste, at a cost of 5 cents per pound/shipment not to exceed \$2,500.00.

A Resolution amending Section 3(b) of Resolution No. 563-2003 to eliminate the references to and corresponding street number changes for 3505 and 3507 Brush Creek Drive, and to change the references to and corresponding street number changes for 3504A and 3504B Brush Creek Drive to 3510 and 3508 Brush Creek Drive.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Joe and Alberta Isaac, for property located at 131 West New Circle Road, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$35,900.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of permanent storm sewer easement and temporary construction easement from Christopher and Korey Yelton located at 145 Rosemont Garden, for the Dantzler Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$7,075.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of permanent storm sewer easement and temporary construction easement from James Shumaker and Yan Zhao Shumaker located at 149 Rosemont Garden, for the Dantzler Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$6,350.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Price Contract with LexisNexis, for public record search services, for the Div. of Revenue.

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A Resolution ratifying the probationary civil service appointments of: Jeremy Asbery, Public Service Worker Sr., Grade 107N, \$10.275 hourly, in the Div. of Streets, Roads & Forestry, effective February 20, 2006; Ward Higgins, Equipment Operator Sr., Grade 109N, \$12.713 hourly, in the Div. of Streets, Roads & Forestry, effective February 6, 2006; Thomas Keller, Public Service Supervisor, Grade 111N, \$19.933 hourly, in the Div. of Streets, Roads & Forestry, effective February 6, 2006; Christopher Taylor, Planning Technician, Grade 110N, \$12.932 hourly, in the Div. of Planning, effective March 6, 2006; Jerry Gould, Stores Clerk, Grade 106N, \$15.168 hourly, in the Div. of Parks, effective March 20, 2006; Louis Weckerling, Skilled Trade Worker Sr./HVAC, Grade 113N, \$15.557 hourly, in the Div. of Building Maintenance & Construction, effective March 6, 2006; Charlotte Turley, Enforcement Officer, Grade 110N, \$11.864 hourly, in the Div. of Solid Waste, effective March 6, 2006; ratifying the permanent civil service appointments of: Tasha Stevens, Staff Assistant, Grade 107N, in the Div. of Streets, Roads & Forestry, effective February 11, 2006; Diana Franklin, Staff Assistant, Grade 107N, in the Div. of Police, effective February 22, 2006; Cassandra Bunton, Communications Officer, Grade 111N, in the Div. of Police, effective February 22, 2006; Rebecca Burke, Staff Assistant Sr., Grade 108N, in the Div. of Revenue, effective February 22, 2006; approving the unclassified civil service appointment of: Sarah Darnall, Administrative Specialist Sr., Grade 112N, \$14.342 hourly, in the Mayor's Office, effective February 6, 2006; Monica Santa-Teresa, Staff Assistant Sr., Grade 108N, \$13.910 hourly, in the Office of the Coroner, effective February 20, 2006; Dawna Cobb, Client Assessment Counselor, Grade 112E, \$1,601.68 bi-weekly, in the Mayor's Training Center; James Dellacamera, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 6, 2006; Erica Murray, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective

February 6, 2006; Timothy Richardson, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 13, 2006; David Hart, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 14, 2006; Matthew Jordan, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 21, 2006; approving the voluntary demotion of: Shelly Bendall, Program Specialist, Grade 112E, \$1,340.72 bi-weekly, in the Div. of Solid Waste, to Administrative Specialist, Grade 110N, \$15.235 hourly, in the Div. of Environmental and Emergency Management, effective February 20, 2006; amending Resolution No. 54-2006 Ernest Clark, Public Service Supervisor, Grade 111N, \$16.076 hourly, in the Div. of Streets, Roads & Forestry, effective February 6, 2006; remove from Resolution No. 54-2006: Paul See, Fire Captain, Grade 316N, \$19.498 hourly, in the Div. of Fire, effective January 9, 2006; Tim May, Fire Captain, Grade 316N, \$19.498 hourly, in the Div. of Fire, effective January 9, 2006; Michael Farmer, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire, effective January 9, 2006; James Harrod, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire, effective January 9, 2006; amending Resolution No. 2-2006 Heidi Lawson, Public Service Worker, Grade 106N, \$9.819 hourly, in the Div. of Parks, effective January 23, 2006 was on the docket for first reading.

Upon motion of Mr. Ellinger, seconded by Ms. Shafer and passed by unanimous vote, the resolution was replaced with an amended version to correct typographical errors.

A Resolution ratifying the probationary civil service appointments of: Jeremy Asbery, Public Service Worker Sr., Grade 107N, \$10.275 hourly, in the Div. of Streets, Roads & Forestry, effective February 20, 2006; Ward Higgins, Equipment Operator Sr., Grade 109N, \$12.713 hourly, in the Div. of Streets, Roads & Forestry, effective February 6, 2006; Thomas Keller, Public Service Supervisor, Grade 111N, \$19.933 hourly, in the Div. of Streets, Roads & Forestry, effective February 6, 2006; Christopher Taylor, Planning Technician, Grade 110N, \$12.932 hourly, in the Div. of Planning, effective March 6, 2006; Jerry Gould, Stores Clerk, Grade 106N, \$15.168 hourly, in the Div. of Parks, effective March 20, 2006; Louis Weckerling, Skilled Trade Worker Sr./HVAC, Grade 113N, \$15.557 hourly, in the Div. of Building Maintenance & Construction, effective March 6, 2006; Charlotte Turley, Enforcement Officer, Grade 110N, \$11.864 hourly, in the Div. of Solid Waste, effective March 6, 2006; ratifying the permanent civil service appointments of:

Tasha Stevens, Staff Assistant, Grade 107N, in the Div. of Streets, Roads & Forestry, effective February 11, 2006; Diana Franklin, Staff Assistant, Grade 107N, in the Div. of Police, effective February 22, 2006; Cassandra Bunton, Communications Officer, Grade 111N, in the Div. of Police, effective February 22, 2006; Rebecca Burke, Staff Assistant Sr., Grade 108N, in the Div. of Revenue, effective February 22, 2006; approving the unclassified civil service appointment of: Sarah Darnall, Administrative Specialist Sr., Grade 112N, \$14.342 hourly, in the Mayor's Office, effective February 6, 2006; Monica Santa-Teresa, Staff Assistant Sr., Grade 108N, \$13.910 hourly, in the Office of the Coroner, effective February 20, 2006; Dawna Cobb, Client Assessment Counselor, Grade 112E, \$1,601.68 bi-weekly, in the Mayor's Training Center; James Dellacamera, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 6, 2006; Erica Murray, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 6, 2006; Timothy Richardson, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 13, 2006; David Hart, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 14, 2006; Matthew Jordan, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 21, 2006; approving the voluntary demotion of: Shelly Bendall, Program Specialist, Grade 112E, \$1,340.72 bi-weekly, in the Div. of Solid Waste, to Administrative Specialist, Grade 110N, \$15.235 hourly, in the Div. of Environmental and Emergency Management, effective February 20, 2006; amending Resolution No. 54-2006 to remove Ernest Clark, Public Service Supervisor, Grade 111N, \$16.076 hourly, in the Div. of Streets, Roads & Forestry, effective February 6, 2006; to correct the effective dates of Paul See, Fire Captain, Grade 316N, \$19.498 hourly, in the Div. of Fire; Tim May, Fire Captain, Grade 316N, \$19.498 hourly, in the Div. of Fire; Michael Farmer, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire; James Harrod, Fire Lieutenant, Grade 315N, \$14.749 hourly, in the Div. of Fire from January 23, 2006 to January 9, 2006; amending Resolution No. 2-2006 to correct the hourly rate of Heidi Lawson, Public Service Worker, Grade 106N, \$9.819 hourly, in the Div. of Parks from \$9.263 hourly to \$9.819, change effective January 23, 2006 was given first reading as amended.

Mr. Brown made a motion, seconded by Ms. Shafer, to suspend the rules and give second reading to the resolution.

The motion failed to pass by majority vote.

The resolution was ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Myers, seconded by Ms. Shafer and passed by unanimous vote, a Resolution accepting the bid of Red River Ranch, LLC, in the amount of \$189,258.00 for removal of sediment at Gainesway Pond was placed on the docket and given first reading.

Mr. Brown asked Ms. Donna Counts, Commissioner of the Dept. of Finance, about the funding for the project.

Ms. Counts stated that grant funds were being used.

The resolution was ordered placed on file two weeks for public inspection.

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Upon motion of Ms. Shafer, seconded by Ms. Gorton and passed by unanimous vote, the following communications from the Mayor were approved and are as follows: (1) recommending the reappointment of Robert Ziemba, At-Large Representative, to the Infrastructure Hearing Board with a term to expire 2-1-2009. Also, recommending the appointment of Mark Mahan, Builder or Developer Representative, to the Infrastructure Hearing Board with a term to expire 2-1-2009; (2) recommending the appointment of Natasha Railey to the CASA Board with a term to expire 6-11-2006. Ms. Railey will fill the unexpired term of Mike Kelly. Also, recommending the appointment of Jaqueline Bradley to the CASA Board with a term to expire 6-11-2007. Ms. Bradley will fill the unexpired term of Stephen McFayden. Also, recommending the appointment of Martin Shearer to the CASA Board as an ex-officio. Mr. Shearer will replace Jim Root as Police Dept. Representative; (3) recommending the reappointments of Bill Campbell and Dick DeCamp to the Henry Clay Memorial Foundation with terms to expire 4-12-2009; (4) recommending the appointments of Ken Kearns, Lisa Ball Sharp, Myron Thompson and Joyce Gill to the One Parent Family Facility Board with terms to expire 4-1-2009. Mr. Kearns will fill the unexpired term of Darlena J. Brown; Ms. Sharp will fill the unexpired term of Ann Phillips Mayfield; Mr. Thompson will fill the unexpired term of Mary Meade McKenzie and Ms. Gill will fill the unexpired term of Eric Morton. Also, recommending the appointment of Ed Sagan to the One Parent Family Facility Board with a term to expire 4-1-2007. Mr. Sagan will fill the unexpired term of Raymond Smith; (5) recommending the appointment of Jay

Taylor to the Raven Run Nature Sanctuary Board with a term to expire 1-13-2008. Mr. Taylor will fill the unexpired term of Brian Myres and (6) recommending the reappointments of Garry R. Bibbs, Sculptor Representative; Becky Estep, Office of the Mayor Representative; and Billy Van Pelt II, American Society of Landscape Architects Representative; to the Urban County Arts Review Board with terms to expire 3-1-2010.

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The following communications were received from the Mayor for information only:

(1) Resignation of Tonia Campbell, Staff Assistant Sr., Grade 108N, in the Division of Police, effective February 23, 2006; (2) Resignation of Bobby Stevens, Public Service Worker, Grade 106N, in the Division of Solid Waste, effective January 23, 2006; (3) Resignation of Bea Barendregt, Central Records Supervisor, Grade 115E, in the Division of Police, effective March 6, 2006; (4) Resignation of Franklin Harney Jr., Police Trainee, Grade 311N, in the Division of Police, effective February 14, 2006; (5) Resignation of Mark Miller, Risk Manager, Grade 119E, in the Division of Risk Management, effective February 10, 2006; (6) Resignation of William Master, Police Officer, Grade 311N, in the Division of Police, effective February 15, 2006; (7) Resignation of Matthew Speck, Police Trainee, Grade 311N, in the Division of Police, effective February 15, 2006 and (8) Reinstatement of Raymond Brandewie, MMRS Project Coordinator, Grade 114E, \$1,743.68 bi-weekly, in the Division of Environmental and Emergency Management, effective February 20, 2006.

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The report from the Div. of Building Inspection for the month of January, 2006 was received and ordered filed.

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Mr. Stinnett announced that in honor of Black History Month he wanted to invite everyone to attend a one man act, "Curator Frederick Douglas", to be held on Tuesday, February 28, 2006 from 12:00 noon – 1:00 p.m. at the Ky. Theater.

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Mr. Wigginton offered his condolences to the family of Code Enforcement Officer Dennis Penley who had passed away, and to Mr. Ed Givins' family for the passing of his father.

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Ms. Marlene White, 119 South Ashland Avenue, stated her concerns with the notification process for the moratorium the Council approved on February 9th affecting her proposed Bed and Breakfast and asked the Council to reconsider the moratorium.

Mr. Bruce Simpson, attorney representing the Ashland Park Neighborhood Association, filed the following exhibit: (1) Handout showing property owners who were in favor of the moratorium, and stated that there was no reason to change the Council's decision.

Ms. Nancy Albert, Central Avenue, spoke in favor of the moratorium because of possible noise, trash and precedent setting issues that might occur if a Bed and Breakfast were allowed in the neighborhood.

Mr. Robert Dalton, 520 Douglas Avenue, spoke in support of having a Bed and Breakfast business on Ashland Avenue.

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Mr. Bernard McCarthy, 515 Harry Street, spoke against the multi-way stop at East Seventh and Jackson Streets.

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Mr. Robert Dalton, 520 Douglas Avenue, spoke in support of the Bluegrass Aspendale Project and the Community School.

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Mr. Bill Wheeler, Jesselin Drive, stated his concerns with the higher cost of garbage collection funded by property taxes compared to private collection costs, and the difference in the level of services per cost provided to house owners, condominium owners and businesses.

The Mayor asked Mr. Wheeler to provide the information to Mr. Jay Whitehead, Commissioner of the Dept. of Public Works.

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The Council adjourned at 8:06 p.m.

Clerk of the Urban County Council